

1 BILL NO. G-88-06-11 (AS AMENDED)

2 GENERAL ORDINANCE NO. G- 29-88

3 AN ORDINANCE amending the Thoroughfare
4 Plan of the City Comprehensive ("Master")
5 Plan by vacating a portion of dedicated right-of-way thereof.

6 WHEREAS, a petition to vacate a portion of dedicated
7 right-of-way within the City of Fort Wayne (as more
8 specifically described below) was duly filed with the City
9 Planning Commission; and

10 WHEREAS, said Commission duly held a public hearing
11 thereon; and

12 WHEREAS, said Commission has duly forwarded its
13 recommendation to this body approving said petition, all in
14 accordance with I.C. 36-7-4-512(2) and this body having held
15 a public hearing on said vacation as provided in I.C. 36-7-
16 4-12; and

17 WHEREAS, this body concurs in the recommendation of the
18 City Planning Commission.

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
20 THE CITY OF FORT WAYNE, INDIANA:

21 SECTION 1. That the petition filed herein to vacate a
22 portion of dedicated right-of-way within the City of Fort
23 Wayne, more specifically described as follows, to-wit:

24 Part of the Northeast Quarter of Section 27, Township
25 31 North, Range 12 East, in Allen County, Indiana,
described as follows:

26 The West 25 feet of the following: Commencing at the
27 Northwest corner of said Block A as situated on the
28 South line of the right of way of U.S. Hwy #30, known
29 as the California Road, at a point situated 205 feet
30 West of the East line of said Quarter Section; thence
31 running West on said right of way line, 205 feet;
32 thence South and parallel to the East line of said
Quarter Section, a distance of 250 feet; thence East
and parallel to aforesaid right of way line, 205 feet
to the West line of said Trixholme Addition, Section
"A"; thence North on the aforesaid line 250 feet to the
place of beginning, except the East 70.0 feet, and
subject to an easement for street over the West 25 feet
thereof TOGETHER with:

1 Part of the Northeast Quarter of Section 27, Township
2 31 North, Range 12 East, described as follows:

3 The East 25 feet of the following: Commencing on the
4 South line of the right of way of U.S. Hwy #30, also
5 known as California Road, at a point situated 410 feet
6 West of the East line of said Quarter Section; thence
7 running West on said right of way line 65 feet; thence
8 South and parallel to the East line of said Quarter
9 Section, a distance of 250 feet; thence East and
10 parallel to the aforesaid right of way line, 65 feet;
11 thence North 250 feet to the place of beginning,
12 subject to an easement over the East 25 feet thereof
13 for street, EXCEPT highway right of way granted in
14 Document #72-21177.

15 and which vacating amends the Thoroughfare Plan of the City
16 Comprehensive ("Master") Plan and is hereby approved in all
17 respects.

18 SECTION 2. That this Ordinance shall be in full force
19 and effect from and after its passage, any and all necessary
20 approval by the Mayor.

Janet G. Bradbury

COUNCILMEMBER

21 APPROVED AS TO FORM AND LEGALITY:

22 J. TIMOTHY MCCAULAY, CITY ATTORNEY

23 ** Public hearing to be held on Tuesday,
24 the 11th day of October, 1988,
25 in the Council Chambers.

Sandra E. Kennedy

Sandra E. Kennedy, City Clerk

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14 accordance with I.C. 36-7-4-512(2) and this body having held
15 a public hearing on said vacation as provided in I.C. 36-7-
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18 City Planning Commission.

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
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21 SECTION 1. That the petition filed herein to vacate a
22 portion of dedicated right-of-way within the City of Fort
23 Wayne, more specifically described as follows, to-wit:

24 Part of the Northeast Quarter of Section 27,
25 Township 31 North, Range 12 East, in Allen County,
Indiana, described as follows:

26 Commencing at the Northwest corner of said Block A as
27 situated on the South line of the right of way of U. S.
28 Hwy #30, known as California Road, at a point situated
29 205 feet West of the East line of said quarter section;
30 thence running West on said right of way line, 205
31 feet; thence South and parallel to the East line of
32 said quarter section, a distance of 250 feet; thence
East and parallel to aforesaid right of way line, 205
feet to the West line of said Trixholme Addition,
Section "A"; thence North on the aforesaid line 250
feet to the place of beginning, except the East 70.0
feet.

ALSO

Parcel 2

Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, described as follows:

Commencing on the South line of the right of way of U.S. Hwy #30, also known as California Road, at a point situated 410 feet West of the East line of said quarter section; thence running West on said right of way line 65 feet; thence South and parallel to the East line of said quarter section a distance of 250 feet; thence East and parallel to the aforesaid right of way line, 65 feet; thence North 250 feet to the place of beginning.

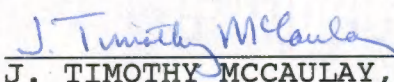
EXCEPT from Parcel #1 & Parcel #2 that portion conveyed to the State of Indiana by Document Number 72-21177 dated August 3, 1972 and recorded September 25, 1972 in the Office of the Recorder of Allen County, Indiana.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on _____,
the _____ day of _____, 1988,
in the Council Chambers.

Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Gia Jaula, seconded by Salvino, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____, M., E.S.T.

DATE: 6-14-88

Madeyle E. Schreff
SANDRA E. KENNEDY, CITY CLERK
Deputy

Read the third time in full and on motion by Bradbury, seconded by Salvino, and duly adopted, placed on its passage. ~~PASSED~~ LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u> </u>	<u>1</u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
<u>LONG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 10-11-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. D-29-88 on the 11th day of October, 1988,

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1988, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of October, 1988, at the hour of 11:50 o'clock A.M., E.S.T.

P. Helmke
PAUL HELMKE, MAYOR

RECEIPT

No 2775

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 5-18 1988

RECEIVED FROM

Tourneau, Criss et al \$ 100.00

THE SUM OF

One hundred + 00 DOLLARS

ON ACCOUNT OF

Highway 1/100 Street Weston
Lab

AUTHORIZED SIGNATURE

PETITION TO VACATE FIFTY FEET OF
HIGHWAY RIGHT OF WAY AND STREET

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned Petitioners do hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following portion of street right-of-way granted in Instrument F-6855 dated September 25, 1972 within the City of Fort Wayne, Indiana, and hereby described as follows:

The West 25 feet of the following described real estate: Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, in Allen County, Indiana, described as follows: Commencing at the Northwest corner of said Block A as situated on the South line of the right of way of U.S. Highway #30, known as the California Road, at a point situated 205 feet West of the East line of said $\frac{1}{4}$ section; thence running West on said Right of Way line, 205 feet; thence East and parallel to aforesaid right of way line, 205 feet to the West line of said Trixholme Addition, Section "A"; thence north on the aforesaid line 250 feet to the place of beginning, except the East 70.0 feet. TOGETHER WITH:

The East 25 feet of the following described real estate: Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, described as follows: Commencing on the South line of the right of way of U.S. Highway #30, also known as California Road, at a point situated 410 feet West of the East line of said $\frac{1}{4}$ Section; thence running West on said right of way line 265 feet; thence South and parallel to the East line of said $\frac{1}{4}$ section, a distance of 250 feet; thence East and parallel to the aforesaid right of way line, 265 feet; thence North 250 feet to the place of beginning.

In support thereof your Petitioners would represent as follows:

1. That they are the only owners of real estate bordering both sides of the street right of way.
2. That the street right-of-way is not necessary as ingress or egress to other properties whatsoever and has never been improved to be used as ingress or egress to any other property whatsoever.
3. That said street right-of-way is unopened and unimproved.
4. That no other person, firm or corporation is interested in or affected by the requested vacation.
5. That the maintenance of street right-of-way is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof to vacate such street right-of-way. Your Petitioners file this petition pursuant to the authority granted in Indiana Code Section 36-7-4-5.12 in order to complete the vacation as above described.

WHEREFORE, your Petitioners pray that the above described street right-of-way be granted according to the provisions of the Indiana law pertaining thereto.

DATED THIS 9th day of May, 1988.

Affordable Homes Inc.
John Pelkington, Inc.
Raymond B. Brunner, Pres.

Adjacent Landowner's Signature

[Signature]

Petitioner's signature

821 St. Coliseum

Paul E. DeVillie 3740 Sherman Blvd

Adjacent Landowner's Signature

Barbara DeVillie 3740 Sherman

Petitioner's address

Jeff DeVillie

Adjacent Landowner's Signature

Joshua I. Tourkow

Agent's name and address
814 Anthony Wayne Bldg.
Fort Wayne, IN 46802

Adjacent Landowner's Signature

EXHIBIT "A"

Parcel 1

Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, in Allen County, Indiana, described as follows:

Commencing at the Northwest corner of said Block A as situated on the South line of the right of way of U.S. Hwy. #30, known as the California Road, at a point situated 205 feet West of the East line of said quarter section; thence running West on said right of way line, 205 feet; thence South and parallel to the East line of said quarter section, a distance of 250 feet; thence East and parallel to aforesaid right of way line, 205 feet to the West line of said Trixholme Addition, Section "A"; thence North on the aforesaid line 250 feet to the place of beginning, except the East 70.0 feet.

ALSO

Parcel 2

Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, described as follows:

Commencing on the South line of the right of way of U.S. Hwy. #30, also known as California Road, at a point situated 410 feet West of the East line of said quarter section; thence running West on said right of way line 65 feet; thence South and parallel to the East line of said quarter section, a distance of 250 feet; thence East and parallel to the aforesaid right of way line, 65 feet; thence North 250 feet to the place of beginning.

EXCEPT from Parcel #1 & Parcel #2 that portion conveyed to the State of Indiana by Document Number 72-21177 dated August 3, 1972 and recorded September 25, 1972 in the Office of the Recorder of Allen County, Indiana.

W. J. H.

RESOLUTION 77-336-4

WHEREAS, JEFF DEVILLE, BARBARA DEVILLE, PAUL E. DEVILLE, GREG DEVILLE and RAYMOND B. BRUNNER have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated right of way situated in Fort Wayne, Allen County, to-wit:

Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, in Allen County, Indiana, described as follows:

The West 25 feet of the following: Commencing at the Northwest corner of said Block A as situated on the South line of the right of way of U.S. Hwy #30, known as the California Road, at a point situated 205 feet West of the East line of said Quarter Section; thence running West on said right of way line, 205 feet; thence South and parallel to the East line of said Quarter Section, a distance of 250 feet; thence East and parallel to aforesaid right of way line, 205 feet to the West line of said Trixholme Addition, Section "A"; thence North on the aforesaid line 250 feet to the place of beginning, except the East 70.0 feet, and subject to an easement for street over the West 25 feet thereof TOGETHER with:

Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, described as follows:

The East 25 feet of the following: Commencing on the South line of the right of way of U.S. Hwy #30, also known as California Road, at a point situated 410 feet West of the East line of said Quarter Section; thence running West on said right of way line 65 feet; thence South and parallel to the East line of said Quarter Section, a distance of 250 feet; thence East and parallel to the aforesaid right of way line, 65 feet; thence North 250 feet to the place of beginning, subject to an easement over the East 25 feet thereof for street, EXCEPT highway right of way granted in Document #72-21177.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated right of way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Pubilc Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated right of way hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated right of way hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:
COUNTY OF ALLEN)

I, Angela S. Derheimer, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held September 15, 1988 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 15th DAY OF September 1988

FORT WAYNE BOARD OF PUBLIC WORKS

Angela S. Derheimer
Angela S. Derheimer
Director of Public Works

Daniel G. Heath
Daniel G. Heath
Director of Public Safety

C. David Silletto
C. David Silletto
Director of Administration & Finance

RESOLUTION

WHEREAS, JEFF DEVILLE, BARBARA DEVILLE, PAUL E. DEVILLE, GREG DEVILLE and RAYMOND B. BRUNNER have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated right of way situated in Fort Wayne, Allen County, to-wit:

Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, in Allen County, Indiana, described as follows:

The West 25 feet of the following: Commencing at the Northwest corner of said Block A as situated on the South line of the right of way of U.S. Hwy #30, known as the California Road, at a point situated 205 feet West of the East line of said Quarter Section; thence running West on said right of way line, 205 feet; thence South and parallel to the East line of said Quarter Section, a distance of 250 feet; thence East and parallel to aforesaid right of way line, 205 feet to the West line of said Trixholme Addition, Section "A"; thence North on the aforesaid line 250 feet to the place of beginning, except the East 70.0 feet, and subject to an easement for street over the West 25 feet thereof TOGETHER with:

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all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 20, 1988 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated right of way.

WHEREAS, said vacation of dedicated right of way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

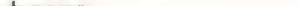
NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated right of way hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated right of way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated right of way in Allen County, Indiana.

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 27, 1988, and as the same appears of record in the official records of said Plan Commission.


Robert Hutner
Secretary

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE

Street Vacation Ordinance

D-88-06-11

DEPARTMENT REQUESTING ORDINANCE

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE

A portion of Coliseum Boulevard West,

approximately 50 ft by 200 ft, lying to the West of Sherman Boulevard.

EFFECT OF PASSAGE

Property is presently dedicated right-of-way. Property will

be vacated and revert to the use of the adjacent property owners.

EFFECT OF NON-PASSAGE

Property will remain dedicated right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.))

Division of Community Development & Planning

BRIEF TITLE

Street Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

A portion of Coliseum Blvd., West, approximately 50' x 200' lying west of Sherman Bl.

Reason for Project

To allow for construction of a commercial building on this site.

Discussion (Including relationship to other Council actions)

20 June 1988 - Public Hearing

Josh Tourkow, attorney for the petitioners stated that the property which this right of way crosses lies between Freeman's Sporting Goods Store and a service station. He stated that there is a 50' x 200' right of way down through the center of the petitioners property from Coliseum through property for access to a housing development. He stated that there is a house built on the lot where this street would have to come out into the development. He stated he was of the understanding that the right of way across the lot has been vacated and they are now requesting their portion of the right of way be vacated also. He stated they would like to be able to build a commercial structure on the property. He stated that they see no need at this time of in the future for this right of way to be used.

Richard Borton, 905 Third Street, questioned if the right of way was vacated and open for commercial use would there be a buffer zone required between the commercial and the housing project.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s) Jeff DeVille,
Barbara DeVille, Paul DeVill
Greg DeVille, R. B. Brunner
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation
☒ For ☐ Against

Reason Against

Board or
Commission
Recommendation

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

**CITY COUNCIL
ACTIONS**
(For Council
use only)

☐ Pass ☐ Other

☐ Pass (as
amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Greg Purcell stated that the zoning will not change it will remain the same which is B-4 - Roadside Business.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

27 June 1988 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation. Motion carried.

Of the eight (8) members present seven (7) voted in favor of the motion one did not vote.

Policy or
Program
Change

☐ No

☐ Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 18 May 1988

Projected Completion or Occupancy

Date 24 August 1988

Fact Sheet Prepared by

Date 24 August 1988

Patricia Biancaniello

Reviewed by

Date 1 Sept 1988

Greg Purcell
Reference or Case Number

BILL NO. G-88-06-11

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the
Thoroughfare Plan of the City Comprehensive ("Master") Plan by
vacating a portion of dedicated right-of-way thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) Do Pass

YES

NO

Janet G. Bradbury JANET G. BRADBURY
CHAIRPERSON
Mark E. GiaQuinta MARK E. GIAQUINTA
VICE CHAIRMAN
Charles B. Redd CHARLES B. REDD
David C. Long DAVID C. LONG
Paul M. Burns PAUL M. BURNS

CONCURRED IN 10-11-88

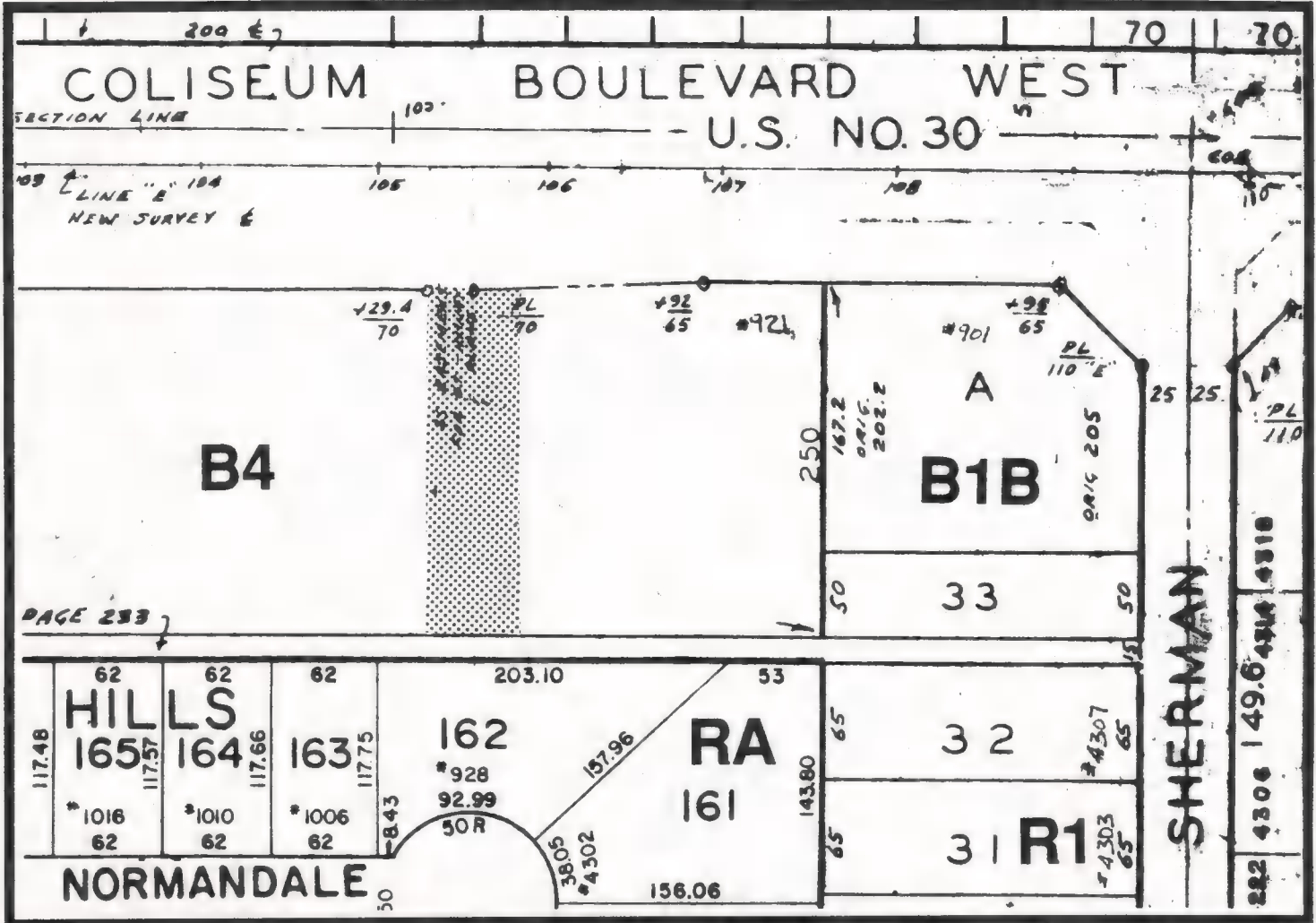
Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

VACATION PETITION #347

A PETITION TO VACATED THE DESCRIBED PUBLIC HIGHWAY RW AND STREET.

MAP NO. K-26

COUNCILMANIC DISTRICT NO. 3



ZONING:

B4 ROADSIDE BUSINESS

B1B LIMITED BUSINESS "B"

RA RESIDENCE "A"

LAND USE:

☐ SINGLE FAMILY

☐ COMMERCIAL

SCALE: 1"=200'

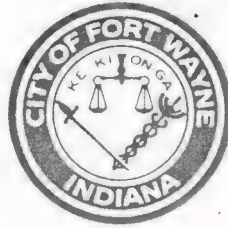
DATE: 6-3-88



Agent:

Kevin McVill

1105 No. Anthony Bl
46805



THE CITY OF FORT WAYNE

September 19, 1988

Ms. April Minnick
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Minnick:

Please give the attached full coverage on the date of September 22, 1988, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-88-06-11
(as amended)
Street Vacation Ordinance

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

All America City



Most Livable City

THE CITY OF FORT WAYNE

September 19, 1988

Kevin DeVille
1105 No. Anthony Blvd.
Fort Wayne, IN 46805

NOTICE OF PUBLIC HEARING ON BILL NO. G-88-06-11
(AS AMENDED)

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, October 11, 1988, at 7:00 P.M., (EST), in Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana on the following:

A portion of Coliseum Blvd., West approximately 50' x 200' lying west of Sherman Bl. - To allow for construction of a commercial building on this site

All interested persons are invited to appear and be heard. Any written material may be submitted to the Comon Council prior to the hearing.

Fort Wayne Common Council

Sandra E. Kennedy
City Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-88-06-11)
(AS AMENDED)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, October 11, 1988, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

A portion of Coliseum Blvd., West, approximately 50' x 200' lying west of Sherman Bl. - To allow for construction of a commercial building on this site

Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, in Allen County, Indiana, described as follows:

The West 25 feet of the following: Commencing at the Northwest corner of said Block A as situated on the South line of the right of way of U.S. Hwy #30, known as the California Road, at a point situated 205 feet West of the East line of said Quarter Section; thence running West on said right of way line, 205 feet; thence South and parallel to the East line of said Quarter Section, a distance of 250 feet; thence East and parallel to aforesaid right of way line, 205 feet to the West line of said Trixholme Addition, Section "A"; thence North on the aforesaid line 250 feet to the place of beginning, except the East 70.0 feet, and subject to an easement for street over the West 25 feet thereof TOGETHER with:

Part of the Northeast Quarter of Section 27, Township 31 North, Range 12 East, described as follows:

The East 25 feet of the following: Commencing on the South line of the right of way of U.S. Hwy #30, also known as California Road, at a point situated 410 feet West of the East line of said Quarter Section; thence running West on said right of way line 65 feet; thence South and parallel to the East line of said Quarter Section, a distance of 250 feet; thence East and parallel to the aforesaid right of way line, 65 feet; thence North 250 feet to the place of beginning, subject to an easement over the East 25 feet thereof for street, EXCEPT highway right of way granted in Document #72-21177.

All interested parties are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

Ft. Wayne Common Council
(Governmental Unit)

Allen County, Indiana

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

4
43
4
51

COMPUTATION OF CHARGES

51 lines, 1 columns wide equals 51 equivalent lines
at .330 cents per line

\$ 16.83

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00
\$ 18.83

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Trudy Sterling

Date: Sept. 22, 19 88

Title: Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-88-06-11)
(AS AMENDED)

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Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows:

9/22/88

Trudy Sterling

Subscribed and sworn to before me this 22nd day of Sept., 19 88

Shelley R. LaRue

Notary Public

Shelley R. LaRue

My commission expires: March 3, 1990

Ft. Wayne Common Council
(Governmental Unit)To: The Journal-Gazette
P.O. Box 100
Fort Wayne, IN Dr.

Allen County, Indiana

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State of Indiana)
) ss:
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Shelley R. LaRue

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